

**Opening Statement at the 22nd Session of the Standing Committee on Copyright and
Related Rights
June 16, 2011**

IFLA is participating in the 22nd meeting of the Standing Committee on Copyright and Related Rights ([SCCR](#)) at the World Intellectual Property Organisation in Geneva. Incoming CLM Chair [Victoria Owen](#) made the following statement on behalf of libraries on Thursday June 16th.

Thank you, Mr. Chairman, for inviting us to intervene. Congratulations on your election to the chair and to the vice chairs.

IFLA, The International Federation of Library Associations and Institutions, appreciates the discussion at SCCR on exceptions and limitations for the visually impaired, libraries and archives and education. We are heartened by the widespread support from so many member states for limitations and exceptions as integral components in any copyright regime. Many member states recognize the importance of exceptions, as part of a positive agenda, to implement important public policy goals, equity of access to visually impaired and print disabled people, to further education, and for libraries and archives to provide access to all citizens.

Exceptions and limitations have another positive outcome that is not often mentioned. Individuals are aware of the balance in copyright and understand when their rights are being unduly constrained. Exceptions make it easier to enforce copyright law, as compliance is more acceptable to users when the law is seen as reasonable and balanced. "We note that authorized intermediaries such as libraries play a role in ensuring copyright balance and provide access to those without the ability to pay, thus lowering the risk of piracy from individuals and groups."

The library community offers a word about licensing. We recognize the contribution of licensing to purchase content and achieve access. There are also open licensing examples, such as Wikipedia, that are of note.

However, licenses are a business model and are appropriate for that context, but they do not apply in all contexts, nor do they solve failures of the system, such as the problems with orphan works. Exceptions and limitations to copyright, for example, for the purposes of research and private study and preservation, go beyond authenticated use for a particular period of time as provided by licenses. Research and innovation depend on access to collections and materials of breadth and depth beyond the current offerings of vendors. Only libraries and archives can provide such content because they have prioritized access and preservation for over a millennium. Studies show that licenses routinely override statutory rights thereby limiting the legitimate exercise of exceptions and limitation. Limitations and exceptions for libraries and archives, for the visually impaired, and for educational purposes are required to ensure continuous, long-term access and preservation.

We are heartened by the understanding of the issues and the support of Member States in their ongoing interest in limitations and exceptions for libraries and archives.

Thank you Mr. Chairman for your attention.

Victoria Owen

Incoming CLM Chair